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Art Unit 3703

Examiner Kevin C. Sirmons

Paper No.:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jason C. Birnholz

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20231 on 10/22/04

Dated 10/22/04 By: Kevin C. Sirmons

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SIR:

Responsive to office letter dated September 8, 2004, kindly amend as follows:

Cancel claims 1, 2 and 3, substituting newly presented claims 5, 6, and 7.

### REMARKS

Examiner has made no comment with respect to the acceptability of the drawings. Applicant will want the opportunity to submit formal drawings upon a finding of allowable subject matter.

Relative to the merits of the application, Examiner has rejected claims 1 to 3, inclusive, under Section 102(b) as being anticipated by Throop, U.S. 1,878,026. Examiner has stated that Throop discloses a device comprising: a hollow elongated flexible body forming a cavity (Figures 1 and 2), said body having an end portion thereof forming an opened neck portion (29), a hollow tube interconnected to said neck having a selectively sealed terminal; said tube extending laterally of said neck, whereby